

FILED

February 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**In the Supreme Court of the State of Montana
The office of the Clerk of Supreme Court
Helena, MT 59620-3003**

Cause No.: DA 09-0638

STATE OF MONTANA
Plaintiff and Appellee,
vs.
JOHN RICHARDS
Defendant and Appellant

Opening Brief

Now come John Richards. I apologize to this court for wasting your judicial capital and says:

1. Prosecutor or ? Someone changed ticket without the officers or my knowledge and tampered with evidence.
2. Officer admitted mistakes and tampering of evidence obvious.
3. Officer admitted he could have made other mistakes.
4. I continually asked for transcript in readable form from both Justice and District Courts but was never given one. I am requesting "complete copy" of record in written form so I can review it in its entirety.
5. Trial court errored in not granting my motions. I need to have "complete copy of record" written so I can review before I can fully argue these and other motions.
6. Prosecutor has refused to allow me my rights by hiding evidence. A copy complete record will show this.
7. Prosecutor failed to meet with me to discuss any settlement and denied my rights. I made many, many, many, many attempts to engage in plea negotiations all to no avail as prosecutor would not meet with me. Settlement is required by a court ordered rule of the justice system.
8. This case is a frivolous and malicious prosecution. It should have been settled long before trial and now appeals. Why is the prosecutor not willing to enter into meaningful settlement negotiations and continue pursuing malicious prosecution? I believe this is an example of abuse of power and an extreme waste of the judicial capital to continue to pursue this case. Why is the Supreme Court needed to settle such a trivial matter as jury ~~void~~ showed.
9. Other arguments will be made as soon as I receive a complete record.


John Richards

9th

Certificate of Service has been sent this 10th day of February 2010 to

Mary Cochenour
Deputy County Attorney
228 Broadway
Helena, MT 59620-1001

Ed Smith
Clerk of the Supreme Court
PO Box 203003
Helena, MT 59620-3003

FILED

FEB 11 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA